

63C-15-101. Title.

This chapter is known as "Prison Relocation Commission."

Enacted by Chapter 211, 2014 General Session

63C-15-102. Definitions.

As used in this chapter:

(1) "Commission" means the Prison Relocation Commission, created in Section 63C-15-201.

(2) "Department" means the Department of Corrections, created in Section 64-13-2.

(3) "Division" means the Division of Facilities Construction and Management, created in Section 63A-5-201.

(4) "Justice commission" means the Commission on Criminal and Juvenile Justice, created in Section 63M-7-201.

(5) "State prison" means the prison that the state operates in Salt Lake County.

Enacted by Chapter 211, 2014 General Session

63C-15-201. Commission created -- Membership -- Cochairs -- Removal -- Vacancy.

(1) There is created an advisory commission known as the Prison Relocation Commission, composed of:

(a) three members of the Senate, appointed by the president of the Senate, no more than two of whom may be from the same political party;

(b) four members of the House of Representatives, appointed by the speaker of the House of Representatives, no more than three of whom may be from the same political party;

(c) the executive director of the justice commission, appointed under Section 63M-7-203; and

(d) the executive director of the department, appointed under Section 64-13-3, or the executive director's designee.

(2) The commission members from the Senate and House of Representatives are voting members of the commission, and the members appointed under Subsections (1)(c) and (d) are nonvoting members of the commission.

(3) The president of the Senate shall appoint one of the commission members from the Senate as cochair of the commission, and the speaker of the House of Representatives shall appoint one of the commission members from the House of Representatives as cochair of the commission.

(4) The president of the Senate may remove a member appointed under Subsection (1)(a), and the speaker of the House of Representatives may remove a member appointed under Subsection (1)(b).

(5) A vacancy of a member appointed under Subsection (1)(a) or (b) shall be filled in the same manner as an appointment of the member whose departure from the commission creates the vacancy.

(6) A commission member shall serve until a successor is duly appointed and qualified.

Enacted by Chapter 211, 2014 General Session

63C-15-202. Quorum and voting requirements -- Bylaws -- Salaries and expenses -- Staff.

(1) A majority of the voting commission members constitutes a quorum, and the action of a majority of a quorum constitutes action of the commission.

(2) The commission may adopt bylaws to govern its operations and proceedings.

(3) (a) Salaries and expenses of commission members who are legislators shall be paid in accordance with Section 36-2-2 and Legislative Joint Rules, Title 5, Chapter 3, Legislative Compensation.

(b) A commission member who is not a legislator may not receive compensation, benefits, per diem, or expense reimbursement for the member's service on the commission.

(4) The Office of Legislative Research and General Counsel shall provide staff support to the commission.

Enacted by Chapter 211, 2014 General Session

63C-15-203. Commission duties and responsibilities.

(1) The commission shall:

(a) carefully and deliberately consider, study, and evaluate how and where to move the state prison, and in that process:

(i) consider whether to locate new prison facilities on land already owned by the state or on land that is currently in other public or private ownership but that the state may acquire or lease, whether to locate new prison facilities at one location or multiple locations, and to what extent future corrections needs may be met by existing state and county facilities; and

(ii) take into account relevant objectives, including:

(A) coordinating the commission's efforts with the efforts of the justice commission and the department to evaluate criminal justice policies to increase public safety, reduce recidivism, and reduce prison population growth;

(B) ensuring that new prison facilities are conducive to future inmate programming that encourages a reduction in recidivism;

(C) locating new prison facilities to help facilitate an adequate level of volunteer and staff support that will allow for a correctional program that is commensurate with the high standards that should be maintained in the state;

(D) locating new prison facilities within a reasonable distance of comprehensive medical facilities;

(E) locating new prison facilities to be compatible with surrounding land uses for the foreseeable future;

(F) locating new prison facilities with careful consideration given to the concerns

of access to courts, visiting and public access, expansion capabilities, emergency response factors, and the availability of infrastructure;

(G) supporting new prison facilities by one or more appropriations from the Legislature;

(H) developing performance specifications for new prison facilities that facilitate a high quality correctional program;

(I) phasing in construction over a period of time; and

(J) making every reasonable effort to maximize efficiencies and cost savings that result from building and operating newer, more efficient prison facilities;

(b) invite the participation in commission meetings of interested parties, the public, experts in the area of prison facilities, and any others the commission considers to have information or ideas that would be useful to the commission;

(c) formulate recommendations concerning:

(i) the location or locations to which the new prison facilities should be moved;

(ii) the type of facilities that should be constructed to accommodate the prison population and to facilitate implementation of any new corrections programs; and

(iii) the extent to which future corrections needs can be met by existing state or county facilities; and

(d) before the start of the 2015 General Session of the Legislature, report the commission's recommendations in writing to the Legislature and governor.

(2) The commission may:

(a) meet as many times as the commission considers necessary or advisable in order to fulfill its responsibilities under this part;

(b) hire or direct the hiring of one or more consultants with experience or expertise in a subject under consideration by the commission, to assist the commission in fulfilling its duties under this part; and

(c) in its discretion, elect to succeed to the position of the Prison Relocation and Development Authority under a contract that the Prison Relocation and Development Authority is a party to, subject to applicable contractual provisions.

(3) The commission may not:

(a) consider or evaluate future uses of the property on which the state prison is currently located;

(b) make recommendations concerning the future use or development of the land on which the state prison is currently located;

(c) make any commitments or enter into any contracts for the acquisition of land for new state prison facilities or regarding the construction of new state prison facilities; or

(d) initiate or pursue the procurement of a person to design or construct new prison facilities.

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63C-15-204. Other agencies' cooperation and actions.

(1) The department and the justice commission shall work cooperatively with the commission to help ensure that the location and nature of new prison facilities that the

commission recommends are conducive to and consistent with any anticipated reforms of or changes to the state's corrections system and correction programs.

(2) As the commission works to formulate recommendations on how and where to relocate the state prison, the division may, in consultation with the commission, undertake efforts, consistent with the recommendations being formulated by the commission:

- (a) to develop performance specifications for future prison facilities; and
- (b) to identify and secure the rights to land that appears to be suitable for future prison facilities.

(3) All state agencies and political subdivisions of the state shall, upon the commission's request:

- (a) reasonably cooperate with the commission to facilitate the fulfillment of its responsibilities; and

- (b) provide information or assistance that the commission reasonably needs in order to fulfill its responsibilities.

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